

TESTIMONY ON H.R. 1013 and H.R. 1371
NORMAN Y. MINETA, M.C.

SUBCOMMITTEE ON LEGISLATION
HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE
APRIL 8, 1987

Thank you very much, Mr. Chairman. As one who sat on the Permanent Select Committee on Intelligence for six years, I am delighted to have this opportunity to appear before this Subcommittee.

There are two bills before you today, Mr. Chairman. Both bills are similar in that they seek to cure the defect in current law that allows the Administration to avoid the appropriate and necessary Congressional oversight of covert actions.

H.R. 1013, introduced by Mr. Stokes and Mr. Boland, requires written notice of all covert activities prior to their start, with an exception that allows notice up to 48 hours after the start of an action.

My bill, H.R. 1371, is similar, except it requires written notice to prior to initiation of all covert activities. H.R. 1371 does give the Administration the power to limit this notice to the so-called "Gang of Eight" -- the leadership of both Houses and both Intelligence Committees.

I support these bills because I believe in the principle of Congressional oversight. And I say this not just because I am protective of Congress's prerogatives -- which I am -- but also because I believe that such oversight makes our intelligence efforts stronger.

As the members of this Committee know all too well, on more than one occasion the private but careful scrutiny of Congressional oversight has saved the intelligence community from many mistakes, and indeed disasters.

And is there any one of us who doubts that had this committee had the opportunity to review the Iran arms deals that the nation would have been spared this whole sad affair?

Some may say that current law has failed only once in several years -- why change it? I say if a simple change would have spared us the Iran disaster, we must make the change. Or else, what fiasco may be next?

Mr. Chairman, this proposed change was first approved by this committee in 1980. Many of us, such as myself, have fought for more thorough oversight for many years now. This bill is more than timely, it is long overdue.

I cannot speak for those who are opposed to these bills, but I suggest that at the heart of their opposition is a mistrust, a doubt, about the usefulness, reliability and appropriateness of Congressional oversight. Mr. Chairman, I have no such doubts. And I submit that once you fully accept the principle of thorough Congressional oversight, these bills become obvious necessities.

Of course, there are those who say, in effect, that Congress and this committee cannot be trusted. As a former military intelligence officer myself, I do not share that view. Indeed, my six years on this committee convinced me that the single biggest sieve in this town is not the Congress, but the Administration.

More than once when I sat on this committee we sought documents that the Administration said were too sensitive for us to see -- and then I saw those same documents in the media when it suited the Administration's purpose.

Under H.R. 1371, for example, notice of very sensitive covert actions could be limited to Speaker Wright, Minority Leader Michel, Chairman Stokes, Mr. Hyde, and Senators Byrd, Dole, Boren and Cohen. Just these eight distinguished leaders. The question is: can these eight people and their successors be trusted with national security matters? If these officials cannot be trusted -- and we have not heard any evidence that they cannot be trusted -- then who can?

I have no doubt that these people, and the members and staff of both intelligence committees, are worthy of our trust.

I trust them not only to keep our secrets, but to play a useful and contributory role in our intelligence operations.

But no oversight can continue without timely and complete information. Without such information, the committees are charged with a vital task, but will be denied the tools to carry it out.

Mr. Chairman, oversight is necessary. And information is necessary to carry out that function. These bills are necessary to get that information. I hope you will act on them promptly.

Thank you.